Ordinance No. 1, Series 1991

AN ORDINANCE PROHIBITING THE IMPROPER USE OF 9-1-1 AND DECLARING AN EMERGENCY

WHEREAS, the City Council for the City of Elgin finds that:

1. There is a potential for deliberate and knowing use of 9-1-1 telephone lines for the purpose of initiating a false report, placing a prank call, or making a request for emergency services where there exists no true emergency, and that the Public Safety Answering Point (PSAP) in Union County may experience repeated call from citizens for emergency services when there exists no true emergency.

2. Responding to such unlawful requests for services requires the use of personnel and equipment such that they are not available for response in the event of a true emergency.

THEREFORE, the City of Elgin does ordain as follows:

Section 1. Purpose. The purpose of this ordinance is to reduce abuse and deliberate misuse of the 9-1-1 emergency telephone system; and to ensure the availability of 9-1-1 and other emergency telephone lines for the reporting of true emergencies, so that personnel and equipment may be available for use in true emergency situations.

Section 2. Definitions.

Automatic Dialing and Announcing Device means an electronically or mechanically operated instrument which automatically dials telephone numbers it has been programmed to dial, and which plays a prerecorded message when answered.

Automatic Protection Device means an electronically or mechanically operated instrument that automatically signals or sends by any means (including direct or indirect connection to regular telephone lines) pictures, sound, odor or a prerecorded message, either by voice or other alarm, from a protected premises upon receipt of a stimulus from a sensory detection apparatus. Automatic protection devices include any audible alarm or light signaling device attached to the interior or exterior of a protected premises.

Emergency means any situation which involves an immediate threat to property or person.

Intentionally is defined in ORS 161.085 (1989 edition).

9-1-1 means a three digit telephone number assigned for use by the public in reporting an emergency situation or summoning emergency assistance from a public safety agency.

Public Safety Agency means any Sheriff, police, fire, or emergency medical entity operating within Union County.

Section 3. Improper Use. No person shall make improper use of emergency telephone system by:

(A) Knowingly or intentionally dialing the 9-1-1 number for any purpose other than to report an event which the caller reasonably believes to be an emergency;

(B) Knowingly or intentionally programming and activating an automatic dialing and announcing device or an automatic protection device which results in the transmission of a prerecorded message to a public safety agency via 9-1-1;

(C) Knowingly allowing telephone equipment to be used in violation of (A) and (B) above.

Section 4. Penalties. Improper use of 9-1-1 is a Class A infraction and is punishable upon conviction by a fine of not more than $500.00. A separate infraction is deemed to occur on each calendar day the infraction continues to exist and a separate citation may be filed for each such infraction.

Section 5. Effective Date. An emergency is hereby declared to exist and this ordinance being enacted for the preservation of the public peace, health and safety takes effect immediately.

PASSED by 6 members of the City Council voting therefor and APPROVED by the Mayor of the City of Elgin this 8th day of January 1991.

APPROVED:

Rod Spikes
Mayor

ATTEST:

Recorder